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#10/Response  
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James



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

IN RE APPLICATION OF: MARK E. ZAPPI, ET AL.  
SERIAL NO.: 09/837,189  
FILING DATE: APRIL 19, 2001  
FOR: ON-SITE BIOLOGICAL TREATMENT OF CONTAMINATED FLUIDS

ART UNIT: 1724  
EXAMINER: CINTINS, I.C.

**RESPONSE**

**RECEIVED**

ASSISTANT COMMISSIONER FOR PATENTS  
PO BOX 1450  
ALEXANDRIA, VA 22313-1450

MAY 28 2003  
**GROUP 1700**

SIR:

This Response is submitted in answer to the Office Action dated February 26, 2003, which set a three month period for response. Thus, this Amendment is considered timely filed on or before May 27, 2003 (Monday, May 26, 2003 being a Holiday).

**REMARKS**

Reconsideration and allowance of the above referenced application is respectfully requested.

Claims 1-14 are currently pending in the application. Claim 10 has been withdrawn from further consideration.

Claims 1-9 and 11-14 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Sato et al. (U.S. Patent 4,206,080) in view of Burnham et al. (U.S. Patent 5,997,812), further in view of Wieser-Linhart (U.S. Patent 5,762,662). Applicants respectfully traverse the rejection on the basis that every element of the claimed invention is not present in the